



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

PUBLIC AFFAIRS

April 9, 2007

In reply refer to: DK-7

Mr. Stephen Sanders
Oregon Department of Justice
1515 SW 5th Avenue, Suite 410
Portland, OR 97201

RE: Freedom of Information Act Request #07-021

Dear Mr. Sanders:

Enclosed is a copy of a Freedom of Information Act (FOIA) request that was received by the Bonneville Power Administration (BPA) on March 15, 2007. In response to the FOIA request, BPA has located four documents which are listed and enclosed for your review:

1. **Minimum Operating Pool (MOP) affect on Water Transit Time (WTT), Fish Travel Time (FTT) and smolt-to-adult return rate (SAR) for yearling spring/summer Chinook salmon migrating through the FCRPS, 1998-2002.** *Written by Tim Dalton, Oregon Department of Fish and Wildlife, dated October 25, 2006.*
2. **Biological Benefits of Lower Columbia MOP Operations.** *Oregon Department of Fish and Wildlife, dated November 7, 2006.*
3. **Impacts of operating John Day Project at Minimum Operating Pool for hatcheries, wildlife areas and the Umatilla National Refuge.** *DRAFT, dated November 28, 2006..*
4. **Biological benefits of lower Columbia Minimum Operating Pool (MOP) operations on survival of yearling spring/summer Chinook salmon.** *Oregon Department of Fish and Wildlife, DRAFT, dated November 17, 2006.*

In accordance with Executive Order 12,600 and Department of Energy Regulation 10 CFR § 1004.11, this letter is to give you notice of the enclosed request and to provide you with an opportunity to present your view on public disclosure of the requested information.

BPA is responsible for making the final determination regarding the disclosure or nondisclosure of information contained in the requested documents but will consider your views prior to making this determination. If you object to disclosure and BPA ultimately determines that the information must be disclosed pursuant to the FOIA, BPA will provide you with no less than seven (7) calendar days notice prior to the date on which it will disclose the information.

In making its determination on whether the information is exempt from disclosure under the FOIA, BPA will consider a number of factors; including whether the disclosure of the information is likely to cause substantial harm to the competitive position from whom the information is obtained, and whether release of the information is likely to impair the government's ability to obtain similar information in the future.

As provided in our agency regulations, we are seeking your item-by-item indication (highlighted and tabbed to be easily identifiable) of what specific information in the enclosed contract, if any, you believe is exempt from public disclosure. This indication should also include an accompanying explanation specifying why your company believes such information is privileged or confidential and how release of specific information would be likely to cause substantial harm to your company's competitive position in future competitions.

Please provide us with your views on disclosure no later than close of business on April 23, 2007. If you have any questions, please contact Laura Atterbury, FOIA Specialist, at 503-230-7305. Thank you for your cooperation in this matter.

Sincerely,

/s/ Christina J. Brannon

Christina J. Brannon
Freedom of Information Act Officer

Enclosures (4)